

10/517,994

REMARKS

The claims are amended to *only* correspond to the indicated allowable subject stated in the final Official Action. If any further amended is believed necessary to place all of the pending claims in allowable form, please contact the undersigned.

Claims 6-14 are objected to and rejected under 35 U.S.C. § 112, second paragraph, as being indefinite for the reasons noted in the official action. Claims 6, 8, 10 and 13 are canceled, without prejudice or disclaimer of the subject matter therein, while the remaining objected to and rejected claims are accordingly amended, by the above claim amendments, and the presently pending claims are now believed to particularly point out and distinctly claim the subject matter regarded as the invention, thereby overcoming all of the raised § 112, second paragraph, rejections. The entered claim amendments are directed solely at overcoming the raised indefiniteness rejection(s) and are not directed at distinguishing the present invention from the art of record in this case.

Next, claims 6 and 8 are rejected, under 35 U.S.C. § 102, as being anticipated by Muller et al. '364. The Applicant acknowledges and respectfully traverses the raised anticipatory rejection in view of the following remarks.

The Applicant thanks the Examiner for indicating that: (a) claims 9, 11, 12 and 14 are allowable; (b) claim 7 is objected to as being dependent upon a rejected base claim but would be allowable if rewritten in independent form to include all of the limitations of the base claim and any intervening claim(s); and (3) claims 10 and 13 would be allowable if rewritten to overcome the rejection(s) under 35 U.S.C. 112, 2nd paragraph. In accordance with this indication, claims 6 and 8 are canceled while claim 7 is amended to incorporate the subject matter of claim 6 and that independent claim is now believed to be allowable.

Allowed claims 9 and 12 are slightly revised but such minor amendment to both of those claims is not believed to affect, in any way, the indicated allowability of either of those claims.

In view of the above claim cancellations and amendments, the Applicant respectfully submits that further comments concerning the applied prior art is not believed necessary. The Applicant also notes the remaining prior art cited in the official action. As none of that additional

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art is applied by the Examiner against the claims of this application, the Applicant is not providing any comments concerning that art as well.

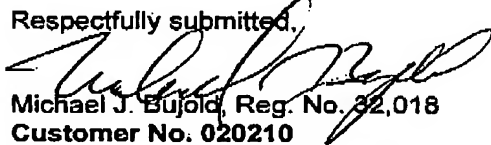
In view of the above amendments and remarks, it is respectfully submitted that all of the raised rejection(s) should be withdrawn at this time. If the Examiner disagrees with the Applicant's view concerning the withdrawal of the outstanding rejection(s) or applicability of the Muller et al. '364 references, the Applicant respectfully requests the Examiner to indicate the specific passage or passages, or the drawing or drawings, which contain the necessary teaching, suggestion and/or disclosure required by case law. As such teaching, suggestion and/or disclosure is not present in the applied references, the raised rejection should be withdrawn at this time. Alternatively, if the Examiner is relying on his/her expertise in this field, the Applicant respectfully requests the Examiner to enter an affidavit substantiating the Examiner's position so that suitable contradictory evidence can be entered in this case by the Applicant.

In view of the foregoing, it is respectfully submitted that the raised rejection(s) should be withdrawn and this application is now placed in a condition for allowance. Action to that end, in the form of an early Notice of Allowance, is courteously solicited by the Applicant at this time.

The Applicant respectfully requests that any outstanding objection(s) or requirement(s), as to the form of this application, be held in abeyance until allowable subject matter is indicated for this case.

In the event that there are any fee deficiencies or additional fees are payable, please charge the same or credit any overpayment to our Deposit Account (Account No. 04-0213).

Respectfully submitted,



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